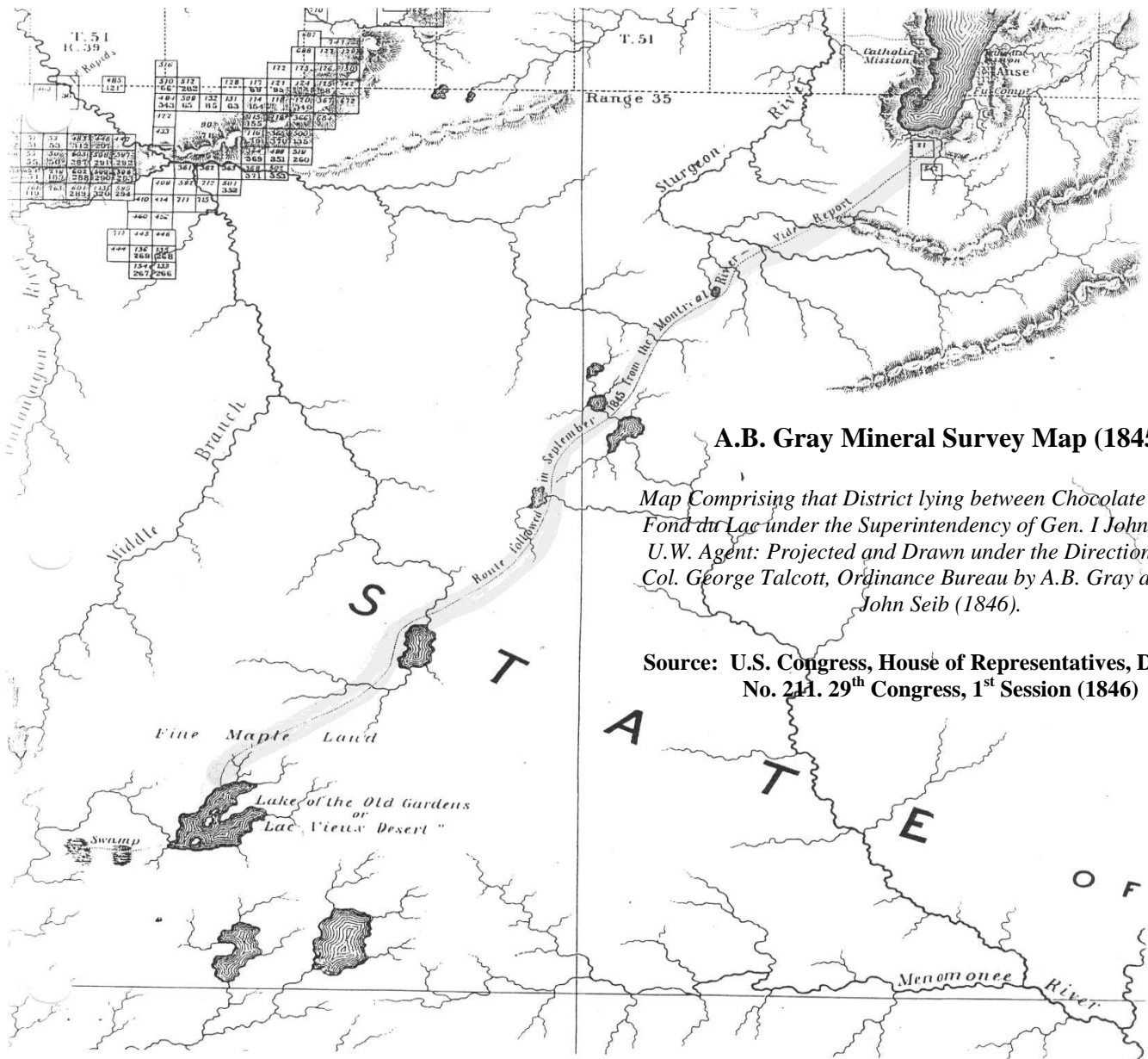


# Lac Vieux Desert-L'Anse Trail Corridor Plan

## Memorandum of Understanding

Lac Vieux Desert Band of Lake Superior Chippewa Indians  
Keweenaw Bay Indian Community  
USDA Forest Service Ottawa National Forest





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# Memorandum of Understanding

## 10-MU-11090700-008

IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

1. **FREEDOM OF INFORMATION ACT (FOIA)**. Any information furnished to the Forest Service under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552). However, there are exemptions for information that the parties deem as sensitive. Under the National Historic Preservation Act 16 U.S.C. § 470hh **Confidentiality of information concerning nature and location of archaeological resources** part (a) **Disclosure of Information** in part states: “Information concerning the nature and location of any archeological resource for which the excavation or removal requires a permit or other permission under provision of Federal Law may not be made available to the public.” Furthermore, 16 U.S.C. § 470w-3(a) provides for the confidentiality of the location of sensitive historic resources, which includes, among others, the protection of the use of traditional religious sites by practitioners.
2. **PARTICIPATION IN SIMILAR ACTIVITIES**. This instrument in no way restricts the Forest Service or the Parties from participating in similar activities with other public or private agencies, organizations, and individuals.
3. **COMMENCEMENT/EXPIRATION/TERMINATION**. This MOU takes effect upon the signature of the Forest Service, Lac Vieux Desert Band of Lake Superior Chippewa Indians and Keweenaw Bay Indian Community and shall remain in effect for 5 years from the date of execution. This MOU may be extended or amended upon written request of either the Forest Service, Lac Vieux Desert Band of Lake Superior Chippewa Indians or Keweenaw Bay Indian Community and the subsequent written concurrence of the other(s). Either the Forest Service, Lac Vieux Desert Band of Lake Superior Chippewa Indians or Keweenaw Bay Indian Community may terminate this MOU with a 60-day written notice to the other(s).
4. **RESPONSIBILITIES OF PARTIES**. The Forest Service, Lac Vieux Desert Band of Lake Superior Chippewa Indians or Keweenaw Bay Indian Community and their respective agencies and office will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out their roles and responsibilities as described in the Trail Plan, and any proposed activities that may affect the Trail Corridor, in a coordinated and mutually beneficial manner.

5. NON-FUND OBLIGATING DOCUMENT. Nothing in this MOU shall obligate either the Forest Service, Lac Vieux Desert Band of Lake Superior Chippewa Indians or Keweenaw Bay Indian Community to obligate or transfer any funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the Forest Service, Lac Vieux Desert Band of Lake Superior Chippewa Indians or Keweenaw Bay Indian Community will require execution of separate agreements and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable statutes and regulations.
  
6. ESTABLISHMENT OF RESPONSIBILITY. This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies, its officers, or any person.

7. AUTHORIZED REPRESENTATIVES. By signature below, the cooperator certifies that the individuals listed in this document as representatives of the cooperator are authorized to act in their respective areas for matters related to this agreement.

---

James Williams, Jr., Tribal Chairman  
Lac Vieux Desert Band of  
Lake Superior Chippewa

---

Warren C. Swartz, Jr., President  
Keweenaw Bay Indian Community

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giwegiizhigookway Martin  
Ketegitigaaning Ojibwe Nation  
Tribal Historic Preservation Officer

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Summer Cohen  
Keweenaw Bay Indian Community  
Tribal Historic Preservation Officer



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Susan J. Spear, Forest Supervisor  
Ottawa National Forest







# Lac Vieux Desert-L'Anse Trail Corridor Plan

## Introduction

### History of the Ketegitigaaning (Lac Vieux Desert) – Kakiweonianing (L'Anse) Trail

Oral history among the Anishinaabe relates that, long before the Light Skinned people arrived, prophets visited the Anishinaabe when they were living a peaceful life on the East Coast of North America. In the First Prophecy, the people were instructed to follow the direction of the setting sun for their survival. The sacred megis shell would appear at seven places on this Great Walk and lead the people to their new home where food grows on water.

This prophesized journey brought the Anishinaabe people to the region of the great lakes where wild rice grew in abundance on the lakes and rivers. From here, the bands split up and settled around the area. The Anishinaabe who journeyed west to the Great Lakes Region retained their culture and traditions, which remains today. The Anishinaabe people subsist through the practices of hunting and gathering, this lifestyle guided the people throughout the seasons to main Indian villages, fishing and hunting grounds, maple sugar bushes, wild rice and other harvest sites. The Anishinaabe people followed these routes regularly, which formed trails throughout the territory. Because Anishinaabe people mainly walked to each site, the original trails were narrow footpaths about 12-18 inches wide, which varied according to conditions of Nature. The trail systems were so extensive that they led throughout the continent where different tribes and bands could meet and trade supplies. Many of these early trails became the foundations of the highways that are used today. The Ketegitigaaning—

Kakiweonianing Trail is one of the few remaining ancient trails that is not paved today or forgotten. The Ketegitigaaning-Kakiweonianing Trail is unique in this time because it can provide the opportunity for tribal members and visitors a glimpse into the past, a true traditional historically pre-contact experience.

The Ojibwe or Anishinaabe, as they prefer to be called, were hunters and gatherers. The Anishinaabe were a very skilled-people whose fundamental essence of Anishinaabe life was unity (the oneness with all things). They had a strong belief in harmony with all created things, which could not be separated from the land with its cycle of seasons. The Anishinaabe flourished through maintaining traditional practices such as hunting, gathering, fishing, harvesting wild rice, and producing maple syrup. Many of these activities led the Anishinaabe to different villages for each of the four seasons. The Anishinaabe people followed these routes regularly, which formed trails throughout the territory.

## Goals

The main purpose of this Plan is to provide a framework for the Ottawa National Forest, Keweenaw Bay Indian Community and the Lac Vieux Desert Band of Lake Superior Chippewa to cooperatively manage and protect the Lac Vieux Desert—L’Anse trail resources.

## Objectives

The following objectives guided the preparation of the Trail Corridor Plan:

- Respect Anishinaabe past, present, and future trail use.
- Protect culturally sensitive areas identified by the Ottawa National Forest and tribes.
- Maintain management and restoration options according to the National Historic Preservation Act (NHPA).
- Preserve the traditional historic experience.

This Plan will also provide the framework to provide guidance concerning appropriate use of sites, and outlines an interpretive program that will communicate to forest visitors the history and importance of the ancient Indian trail. Guidance is also included for creating positive visitor experiences through marking, interpreting, and preserving significant resources associated with the trail.

## Roles and Responsibilities

The Ketegitigaaning (Lac Vieux Desert)—Kakiweonianing (L’Anse) Trail Corridor Plan (here after referred to the Lac Vieux Desert—L’Anse Trail Corridor Plan) will contribute information and guidelines to the Lac Vieux Desert Band of Lake Superior Chippewa Indians, the Keweenaw Bay Indian Community, and the Ottawa National Forest as they plan, design, and implement management activities on federal or tribal lands in the area referenced by this plan, encompassed by the trail corridor (see Vicinity Map in Appendix C). The significance of traditional cultural properties cannot be determined by scientists, but must be determined by the community that values them, in this case, the Lac Vieux Desert Band of Lake Superior Chippewa Indians and the Keweenaw Bay Indian Community. A traditional community decides which places are important to maintaining their traditions and whether those places retain integrity of relationship and condition. The key to successful management of the trail will result from collaborative efforts from the participating entities. The parties to the agreement will meet annually to review the extent to which the Plan goals are being met.

Ketegitigaaning Nation/Lac Vieux Desert Band of Lake Superior  
Chippewa Indians

The goals and objectives of the Ketegitigaaning Tribal Historic Preservation Office *are to preserve and protect those places that are considered sacred and are related to the traditional and cultural aspects of the Ojibwa People.* The Ketegitigaaning Ojibwe National Tribal Historic Preservation Officer may in its sole discretion identify those properties which are considered sacred by the Ketegitigaaning Ojibwe Nation and are to be afforded protection efforts. The THPO also understands that it is the responsibility of said Tribe to determine the extent of the protection measure sought by the Tribal Community on identified properties.

The Ketegitigaaning Ojibwe Nation THPO may share necessary site information on a strict confidential basis concerning trail and associated resources with the Keweenaw Bay Indian Community and the Ottawa National Forest. The Ketegitigaaning Ojibwe Nation Tribal Historic Preservation Office will be the principal contact for this instrument.

The Ketegitigaaning Ojibwe Nation Tribal Historic Preservation Office will:

- Oversee the implementation of the LVD trail plans objectives and goals.
- Disclose statutory directives with the ONF regarding the management and treatment of cultural resources.
- Agrees to periodically meet with the National Parks Service and the KBIC THPO to provide comments and suggestions regarding proposed Forest Service projects that may have an affect on cultural resources. Specifically, these meeting will include discussion of appropriate means of establishing cultural resource protection, utilizing GPS/GIS technology as part of the protection and preservation process.
- Work in partnership with participating government entities regarding the management and treatment of cultural resources.
- Participate in pre-management design activities that are proposed within the trail corridor along with LVD, ONF and other groups.
- Participate in site visits to proposed management areas lying near or within the corridor.
- Inform the Tribal community of trail activities, including ONF management activities.

### Keweenaw Bay Indian Community

The goals and objectives of the Keweenaw Bay Indian Community Tribal Historic Preservation Office *are to preserve and protect those places that are considered sacred and are related to the traditional and cultural aspects of the Ojibwa People.* The Keweenaw Bay Indian Community Tribal Historic Preservation Officer may in its sole discretion identify those properties which are considered sacred by the Keweenaw Bay Indian Community and are to be afforded protection efforts. The THPO also understands that it is the responsibility of said Tribe to determine the extent of the protection measures sought by the Tribal Community on identified properties.

The Keweenaw Bay Indian Community may share necessary site information on a strict confidential basis concerning trail and associated resources with the Lac Vieux Desert Band of Lake Superior Chippewa Indians and the Ottawa National Forest. The Keweenaw Bay Indian Community Tribal historic Preservation Office will be the principal contact for this instrument.

The Keweenaw Bay Indian Community Tribal Historic Preservation Office will:

- Oversee the implementation of the LVD trail plans objectives and goals.
- Disclose statutory directives with the ONF regarding the management and treatment of cultural resources.
- Agrees to periodically meet with the National Parks Service and the LVD THPO to provide comments and suggestions regarding proposed Forest Service projects that may have an affect on cultural resources. Specifically, these meeting will include discussion of appropriate means of establishing cultural resource protection, utilizing GPS/GIS technology as part of the protection and preservation process.
- Work in partnership with participating government entities regarding the management and treatment of cultural resources.
- Participate in pre-management design activities that are proposed within the trail corridor along with LVD, ONF and other groups.
- Participate in site visits to proposed management areas lying near or within the corridor.
- Inform the Tribal community of trail activities, including ONF management activities.

## Ottawa National Forest

The Ottawa National Forest will utilize the Trail Corridor Plan to guide collaborative efforts with the Keweenaw Bay Indian Community and the Lac Vieux Desert Band of Lake Superior Chippewa Indians in the planning and implementation of management actions within the trail corridor (see Trail Corridor Map, Appendix C). Overall programmatic decisions for National Forest System lands are made in the Ottawa National Forest Land and Resource Management Plan (Forest Plan). Site-specific decision for National Forest System lands within the trail corridor will be made on a project-by-project basis. The Ottawa National Forest Heritage Program Manager will be the principal contact for this instrument and will work with District Rangers to ensure proposed projects are consistent with goals and objectives of the Trail Plan. In consultation with the Ottawa Heritage Resource Program Manager, District Rangers will assume responsibility that the Trail management Plan's goals and objectives are being met and carried out on National Forest System lands.

The Ottawa National Forest will:

- The confidentiality of cultural and historic resources-under the National Historic Preservation Act (NHPA) section 304- provides that the head of a Federal agency shall withhold from public disclosure information about the location, character, or ownership of a cultural or historic property when disclosure may cause a significant risk or harm to the property; or impede the use of a traditional religious site. Applicable portions from section 304 (16 U.S.C. 470w-3(a)) Confidentiality, are as follows:

*"(a) Authority to Withhold from Disclosure.-The head of a Federal agency or other public official receiving grant assistance pursuant to this Act, after consultation with the Secretary, shall withhold from disclosure to the public, information about the location, character, or ownership of a historic resource if the Secretary and the agency determine that disclosure may-*

- (1) cause a significant invasion of privacy;*
- (2) risk harm to the historic resource; or*
- (3) impede the use of a traditional religious site by practitioners.*

*(b) Access Determination.-When the head of a Federal agency or other public official has determined that information should be withheld from the public pursuant to subsection (a), the Secretary, in consultation with such Federal agency head or official, shall determine who may have access to the information for the purpose of carrying out this Act.*

*(c) Consultation with Council.-When the information in question has been developed in the course of an agency's compliance with section 106 or 110(f), the Secretary shall consult with the Council in reaching determinations under subsections (a) and (b)."*

- Consult with tribal governments as recognized experts concerning the importance of cultural resources. Consultation will occur on a government-to-government basis when planning activities within the trail corridor.
- Provide public involvement and disclosure consistent with applicable laws and regulations.
- Agrees to periodically meet with Keweenaw Bay Indian Community THPO and the Lac Vieux Desert THPO to provide comments and suggestions regarding proposed Forest Service projects that may have an affect on cultural resources. Specifically, these meetings will include discussion of appropriate means of establishing cultural resource protection, utilizing GPS / GIS technology as part of the protection and preservation process.
- Collaboratively work with tribal THPOs regarding the management and treatment of cultural resources.
- Assist in development of interpretation and information to provide a contextual history of LVD-L'Anse Trail.

## Historical Significance

As outlined in the introduction of this plan, Lac Vieux Desert—L'Anse Trail Corridor Plan reflects important events and activities in history as well as cultural traditions, settlement, and land use.

Archaeological sites along the trail and within the corridor add to the interpretive history of Lac Vieux Desert—L'Anse Trail. These sites often provide additional information about the prehistoric setting and historic activities; offering glimpses of the past including prehistoric subsistence, maple sugaring, fur trade, historic logging, etc. As with the trail, these sites are protected under the National Historic Preservation Act, which requires government agencies to consider any adverse effects to heritage resources if an undertaking has the potential to degrade or destroy these resources. Avoidance is the first protective measure that should be taken in areas of high concentrations of sites along the trail corridor. Additional measures will be utilized when necessary to protect these resources whether in or outside the trail corridor. (See Appendix E for information about criteria for the National Register of Historic Places.)

## **Trail Corridor Plan**

The Lac Vieux Desert—L’Anse Trail Corridor Plan seeks to balance the traditional and cultural values of the Trail and resource management objectives of the Ottawa National Forest for National Forest System lands and tribal lands within the trail corridor. The Ottawa National Forest recognizes the Lac Vieux Desert—L’Anse Trail and corridor, in its entirety, as an important cultural landscape (see Appendix F for the definition of cultural landscapes). On National Forest System lands the Ottawa National Forest has the responsibility of protecting significant archeological and cultural resources while meeting the land and resource management objectives described in the Forest Plan.

## Plan Elements

To protect cultural and scenic resources within the Lac Vieux Desert—L’Anse Trail corridor, to inform the public on true historical events and of the Anishinaabe, to cooperatively manage and protect trail resources and promote future public awareness programs, and to preserve the traditional historic integrity of the trail; the following were identified as elements to include in the trail corridor management plan:

- A. Existing and Desired Condition:** Describe the current condition of the trail resource and the desired condition.
- B. Description of Trail Route and Corridor:** Identifies historic routes that have been recorded as part of the trail, and establishes a corridor to account for the trail’s dynamic nature over time.
- C. Management and Resource Protection:** Propose management guidelines for activities occurring on National Forest System lands within this identified corridor to ensure proper protection of the trail’s cultural resources, including Indian burial sites and sacred objects.
- D. Cooperation and Coordination:** To provide a framework for the Ottawa National Forest, and tribal governments, to cooperatively manage and protect the Lac Vieux Desert—L’Anse trail resources.
- E. Consultation:** Provides a framework for the interested federally-recognized tribes and the Ottawa National Forest to cooperate and consult on issues as they relate to the Trail.
- F. Future Information Needs:** Identify additional information that would contribute to the management and protection of the trail.
- G. Information and Interpretation:** Identify historic and prehistoric sites and areas along the trail that have the potential to provide opportunities to preserve and interpret the trail’s significance of both the federally-recognized tribes and the local area.



## **A. Existing and Desired Conditions**

Previous investigations in the 1930's, 1970's and in 2001 indicate the trail was approximately 75-80 miles in length and followed a variable overland route from Lac Vieux Desert to Keweenaw Bay (L'Anse). Using computer generated trail maps, the trail has been determined to be approximately 57.5 miles long. This length is based on the centerline route of 4 mapped trail locations which are believed to best represent the actual routes/locations of the trail. Of the entire 57.5 mile route, 26.6 miles (46%) crosses National Forest System lands on the Ottawa National Forest, 22 miles (38%) crosses private lands, and about 9 miles (16%) crosses State of Michigan lands.

The Lac Vieux Desert—L'Anse trail traverses the western Upper Peninsula of Michigan from the village on the north shore of the lake Lac Vieux Desert, which lies on the Michigan/Wisconsin border, to Keweenaw Bay on the south shore of Lake Superior (see Vicinity Map in Appendix C).

The trail passes through four counties in the western Upper Peninsula (Baraga, Gogebic, Houghton and Iron) and the Keweenaw and Watersmeet/Iron River Ranger Districts of the Ottawa National Forest. Regular use of the trail continued until the early to mid-1930's after which use declined. The trail is not currently readily identifiable on the ground surface; therefore, historic maps and documents provided the primary means of identifying the trail corridor.

The area's topography forms a patchwork of small hills, valley, streams and bogs. The current vegetation is primarily wooded, with a mixture of aspen, birch, pine, and northern hardwoods. Human disturbance is evident and varies in degrees along the trail route on both public and private lands. There are roads that follow and cross the trail route. Some areas have had timber harvested and some areas have been furrowed, and planted with pine trees in rows, to be managed as plantations.

## **B. Description of Trail Route and Corridor**

The Lac Vieux Desert – L'Anse Trail crosses approximately 60 miles of the interior of the Upper Peninsula of Michigan from L'Anse on Keweenaw Bay to Lac Vieux Desert on the Michigan - Wisconsin border. The trail was not static and there were variations in the trail route over time. This variation was due to many factors some known, some unknown. Periodic environmental changes such as flooding likely led to variations in the trail. For this reason, a wide range of sources were used in this effort to identify the approximate trail route.

It has been determined through literature searches and field reviews that little surface evidence remains of the trail or activities associated with the trail. Any evidence that is likely to exist would most likely be subsurface. Many sources of information were used to determine the likely location of the trail. The following factors (in general terms) were reviewed relative to all available historical information about potential trail routes:

- **Map scale** – the larger the scale, the more detail is available and the greater the accuracy. Maps were printed out to their original scale.
- **Map date** – the earlier the maps origin, the more valuable because the trail was likely to be more apparent.
- **Map objective** – maps created to specifically detail the trail route are considered to be more accurate than maps created for other purposes (e.g. trail route not just traced over existing map, resulting in loss of scale, accuracy, and other important details).
- **Map origins** – original maps are more valuable and likely to be more accurate than maps copied from original maps.
- **Map features** – maps with more recognizable features are likely to be more accurate and can be more easily geo-referenced.
- **Mapping methods** – Maps that have documented methods for defining and recording the trail route are more valuable because they identify the potential level of accuracy. Maps that were ground-truthed are likely to be more accurate.

After reviewing available trail accounts, the trail committee identified four trail locations that were determined to be the most accurate (see Trail Routes map, Appendix C). These were used to identify the trail's approximate route over its entire period of use.

Due to the dynamic nature of the trail over time, the committee determined that a corridor needed to be identified to account for fluctuations of the trail's path. The corridor is the area where there would be the highest probability of finding cultural or historic sites or features that would need protection and potential repatriation. After reviewing the available information about the historic records of the trail's location, the recommendation by the committee is to delineate the corridor width  $\frac{1}{4}$  mile on each side from the outer most trail location (see Appendix C pages C-3 and C-4) to be identified and managed as the trail corridor. Any modification to the trail corridor and plan guidelines will be developed in a collaborative fashion as new information is brought forward.

## **C. Management and Resource Protection**

### **General**

The intent of management and resource protection is to ensure that the trail route and corridor will be managed so as to preserve scenic values natural appearing landscape conditions for traditional and public use. Archeological and cultural sites related to the trail will be protected to provide unimpaired conditions. Sections of the trail will be maintained as cultural landscapes. Priorities will be established to preserve sites, and to reestablish trail segments according to their cultural and historic significance and interpretive value. Sites of cultural significance are protected and any proposed management action involving these sites requires consultation with the tribes under Section 106 of the NHPA. Management activities within the trail corridor will be designed and implemented in a manner which restores or maintains desired vegetative conditions while minimizing soil disturbance. Management activities will include consideration of measures needed to:

- Minimize soil disturbance.
- Protect significant trail segments and historic sites from overuse, inappropriate use, and vandalism.
- Encourage uses of adjacent lands that complement the protection and interpretation of trail resources.
- Establish guidelines for the protection of cultural resources, including Indian burials, traditional cultural places and sacred sites and/or objects.

### **Desired Condition**

The desired condition is to maintain the trail and to ensure a sustainable and resilient ecosystem for the long term protection of the trail's cultural value, scenic character, and natural resources. Changes within the trail corridor will largely occur through natural processes.

### **Vegetation Management**

Management actions on the Ottawa National Forest will follow the direction described in the Forest Plan.

- Use natural regeneration of native plant species where practicable.
- Culturally important plants determined in consultation with the Tribes will be favored, given special consideration and perpetuated whenever practical.
- Design restoration and management activities in a manner that is compatible with natural conditions or emulates characteristic disturbance processes.
- Utilize seasonal restrictions to minimize soil disturbance. Limit soil disturbance activities to times when soils are frozen, whenever practicable.

### **Visual Conditions**

The vegetation within the trail corridor is currently in an altered condition as a result of timber harvesting during the late 19<sup>th</sup> and early 20<sup>th</sup> century. The objective is to allow for a naturally appearing forested setting. Management activities will be of a scope and intensity that blend in with the natural setting. As a result, management actions will be largely unnoticeable.

### **Roads/Trails**

Roads, trails and utility corridors facilitate access to both public and private lands. Management and operation of transportation facilities will:

- Minimize soil disturbance.
- Where practicable, locate new road, trail and utility corridors construction or reconstruction outside of trail corridor. Where it is necessary to enter into or cross the trail corridor, clearly demonstrate the need and evaluate a full range of options to mitigate impacts that include but are not limited to location within the trail corridor, type of road or trail, management restrictions, and pre-project survey/inventory standards.
- Recognize pre-existing rights and Ottawa National Forest responsibility to provide reasonable access.

### **Riparian and Wetland Areas**

Areas along lakes and streams are considered to be high probability areas for pre-historic cultural sites.

- Manage rivers and streams to mimic natural flow patterns and manage lakes and reservoirs to mimic natural elevations and fluctuation patterns.
- Minimize soil disturbance.
- Use natural regeneration where practicable.
- Consider hand planting of native plant species, where natural regeneration is not practicable, to meet riparian objectives to minimize soil disturbance in riparian areas.

### **Emergency or Disaster Situation**

Emergencies are those actions deemed necessary by the Forest Supervisor as an essential and immediate response to a disaster or emergency declared by the President, a tribal government, or the Governor of a State, or another immediate threat to life or property. Emergency actions are only those actions required to resolve the

emergency at that time and they are limited to undertakings that will be started within thirty (30) days after the emergency has been declared. Local emergency situations, such as initial attack fire suppression, will be responded to considering the safety of the public and emergency responders, cost of responding, resource loss and environmental damage. The Ottawa National Forest will notify the THPO within 24 hours of the declared emergency or as soon as conditions permit.

Emergency response within the LVD – L’Anse trail corridor will incorporate strategies designed to result in minimum impacts to the land, such as the minimum impact suppression tactics used for wildland fire suppression.

The agency will follow the guidelines of 36 CFR § 800.12 (1) and (2) in cases of declared emergency or disasters on Forest Service Lands. These provisions are found in Appendix D.

#### **D. Cooperation and Coordination**

To provide a framework for the Ottawa National Forest, state, local and tribal governments, as well as private interests, to cooperatively manage and protect the Lac Vieux Desert—L'Anse trail resources:

- Coordinate efforts at all levels of the cooperating entities to fulfill the purposes of the trail unit plan.
- Develop effective partnerships between the Ottawa National Forest, state, and local agencies, other managing entities, private landowners, and organizations and individuals supporting the trail. Cooperatively work with interested entities on matters related to trail management.
- The Ottawa National Forest and Tribal Governments continue to work on a government-to-government basis to achieve the objectives of this plan.

#### **E. Tribal Consultation**

The Forest Service shares in the United States' trust responsibility and treaty obligations to consult with federally-recognized Tribes on a government-to-government basis to protect the Tribes' ceded territories on lands administered by the Forest Service. As such, the policies of the Forest Service toward federally recognized tribes are intended to strengthen relationships and further tribal sovereignty by fulfilling mandated responsibilities. The Ottawa National Forest outlines its policies and responsibilities on tribal relations in a 1999 Memorandum of Understanding, including tribal consultation on proposed forest projects.

#### **F. Future Information Needs**

Additional information furthering the goals of this plan.

- Promote and support ongoing research to increase knowledge, understanding and appreciation of remaining trail segments and resources and their significance in history.
- Work cooperatively to compile, document, and update information regarding the Lac Vieux Desert-L'Anse trail and related resources for the benefit of future generations.

#### **G. Information and Interpretation:**

Visible segments of the Lac Vieux Desert –L'Anse Trail have cultural and historic resources recorded in association with the trail and its history. These cultural resources provide an opportunity for tribal members (Elder's) to interpret the historic/prehistoric use of the trail. These segments of the trail may be enhanced for access and tribal outdoor interpretive information and sharing for youth groups and other programs.

**Lac Vieux Desert-L'Anse**  
**Trail Corridor Plan**

**Appendices**





**Lac Vieux Desert-L’Anse**  
**Trail Corridor Plan**

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## **Appendix A - Planning Committee and Contributors**

**George Beck**, Tribal Planner, Lac Vieux Desert Band of Lake Superior Chippewa Indians

**Cole Belongie**, Environmental Resource Officer, Lac Vieux Desert Band of Lake Superior Chippewa Indians

**Sandy Burns**, Geographic Information Specialist, Ottawa National Forest

**Stephanie Chau**, formerly Tribal Historic Preservation Coordinator, Keweenaw Bay Indian Community

**Summer Cohen**, Tribal Historic Preservation Officer, Keweenaw Bay Indian Community

**Karen Danielsen**, Forest Ecologist, Great Lakes Indian Fish and Wildlife Commission

**Mike Donofrio**, formerly Natural Resource Director, Keweenaw Bay Indian Community

**Miles Falck**, Wildlife Biologist, Great Lakes Indian Fish and Wildlife Commission

**Troy Ferone**, Eastern States Cultural Heritage Program Leader, Bureau of Land Management, formerly Forest Archeologist, Ottawa National Forest

**Cheri Ford**, formerly Tribal Government Liaison, Chequamegon-Nicolet, Hiawatha and Ottawa National Forests

**Roger LaBine**, LVD Cultural Committee Member, Lac Vieux Desert Band of Lake Superior Chippewa Indians

**Loreen Lomax**, Heritage Program Manager/Forest Archaeologist, Ottawa National Forest

**giüwegiizhigookway Martin**, Tribal Historic Preservation Officer, Lac Vieux Desert Band of Lake Superior Chippewa Indians

**Alina McGeshick**, Assistant Tribal Historic Preservation Officer, Lac Vieux Desert Band of Lake Superior Chippewa Indians

**Norman Nass**, District Ranger, Watersmeet / Iron River Ranger District, Ottawa National Forest

**Jim St. Arnold**, ANA Grants Coordinator, Great Lakes Indian Fish and Wildlife Commission

**Tracy Tophooven**, formerly District Ranger, Watersmeet / Iron River Ranger District, Ottawa National Forest

**Donna Whitebird**, formerly Native American Graves Protection Repatriation Act Specialist, Keweenaw Bay Indian Community



## **Appendix B – Contributing Tribal Governments and Agencies**

### **Great Lakes Indian Fish and Wildlife Commission**

P.O. Box 9  
Odanah, WI 54861

### **Ketegitigaaning Ojibwe Nation Tribal**

#### **Historic Preservation Office**

E23857 Poplar Circle  
Watersmeet, MI 49969

### **Keweenaw Bay Indian Community**

107 Bear Town Road  
Baraga, MI 49908

### **Keweenaw Bay Indian Community Tribal**

#### **Historic Preservation Office**

107 Bear Town Road  
Baraga, MI 49908

### **Lac Vieux Desert Band of Lake Superior Chippewa Indians**

P.O. Box 249  
Watersmeet, MI 49969

### **USDA Forest Service**

Ottawa National Forest  
E6248 US Hwy 2  
Ironwood MI 49938



## Appendix C – Maps Used in Preparing LVD Trail Plan and Delineating Trail Corridor

*Applicable maps in this Appendix, listed from coarse to fine scale*

*Lac Vieux Desert- L'Anse Vicinity Map*

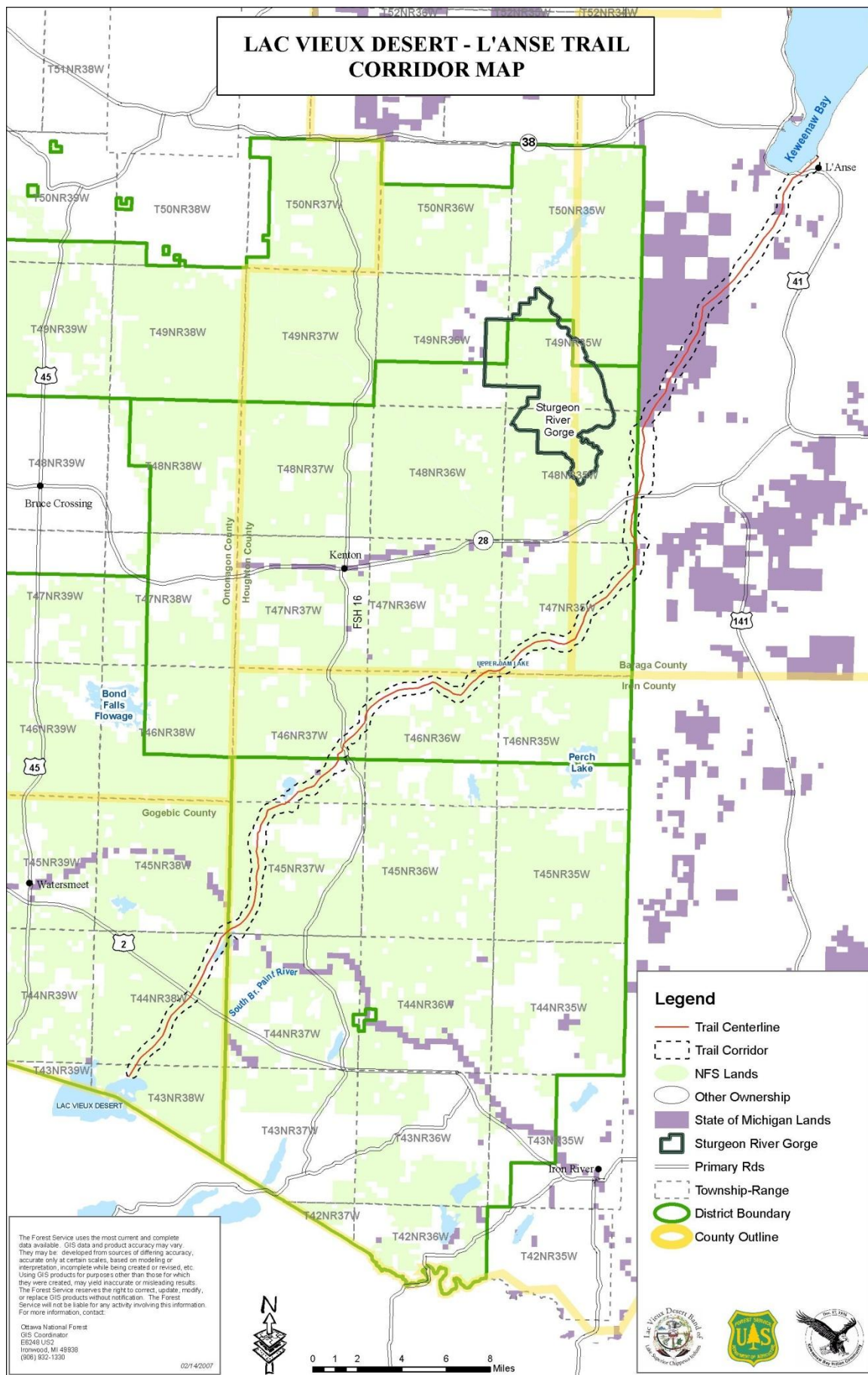
*Lac Vieux Desert- L'Anse Corridor Map*

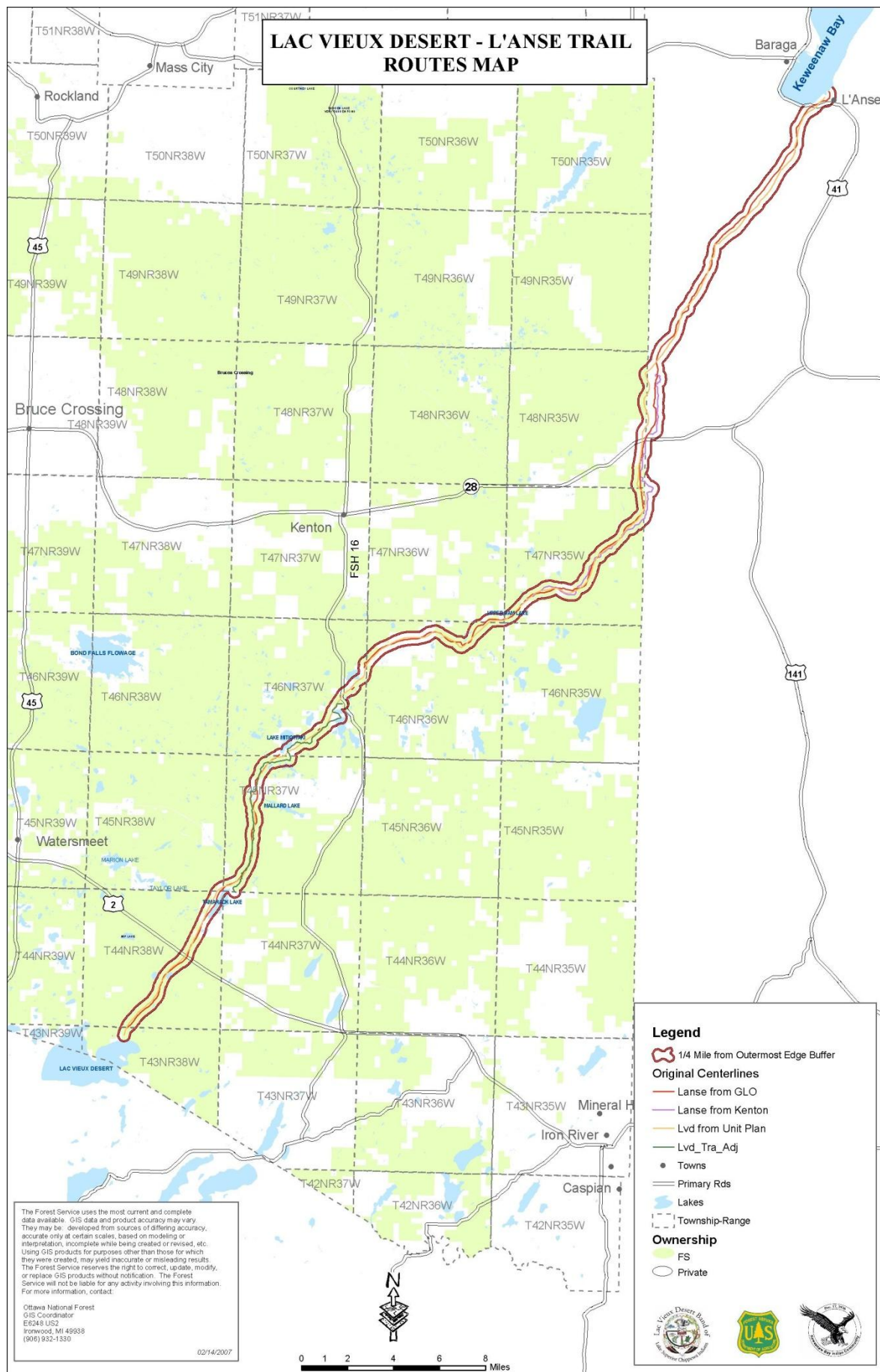
*Lac Vieux Desert- L'Anse Trail Routes Map (with the 4 most probable trail routes, summarized below)*

- **General Land Office Maps (ca. 1847-51)** – Miles downloaded the original survey maps that had been created from the General Land Office (GLO) survey notes. He geo-referenced the maps at a scale of 1:500. Then, he printed out the maps at their original scale of 1:31,680 (40 chains:1 inch). Finally, he redigitized the trail route on the maps at their original scale. He noted that the trail had to be interpolated between section lines because the original GLO survey notes provided the trail location only at the section lines. Furthermore, the trail is not identified on the original GLO maps for Township 46N Range 37W. Miles will review the survey notes in hopes of finding additional information for this area. **Called Lvd\_glo on the base map prepared by Miles (original scale – 1 inch = ½ mile).**
- **The LVD-L'Anse Trail Unit Plan (1936)** – created by the US Forest Service: field work by W.V. Kennedy in May 1936; drawn by L.W. Vogt in June 1936; checked by R. Bassett on September 11, 1936; traced by W.F. Last on September 28, 1936. The source of this map is unknown. The trail may have been surveyed on the ground or just copied from the GLO maps. It does include the portion of the trail missing on the GLO maps. This indicates that, for at least this portion of the trail, ground surveys were probably conducted. **Called Lvd\_unit\_plan on the base map prepared by Miles (1 inch = 1 mile).**
- **Kenton Ranger District Map (1937)** – created by the US Forest Service. The scale of the map is large and contains section lines that can be geo-referenced. It also looks like the trail route was ground-truthed, which is good since the trail was likely to still be relatively visible in 1937. **Called Lvd\_ranger on the base map prepared by Miles (1 inch = 1 mile).**
- **Iron River District Map (1937-38)** – created by E.R. Toole. The actual traverse data appears to be accurate. However, there is a question regarding the original digitizing of the data. Sandy will talk to Gayle Sironen to obtain more information on the digitizing process. **Called Lvd\_tra\_adj on the base map prepared by Miles.**

[illegible]







## Appendix D – 36 CFR § 800.12

### § 800.12 Emergency situations

(a) *Agency procedures.* The agency official, in consultation with the appropriate SHPOs/THPOs, affected Indian tribes and Native Hawaiian organizations, and the Council, is encouraged to develop procedures for taking historic properties into account during operations which respond to a disaster or emergency declared by the President, a tribal government, or the Governor of a State or which respond to other immediate threats to life or property. If approved by the Council, the procedures shall govern the agency's historic preservation responsibilities during any disaster or emergency in lieu of §§ 800.3 through 800.6.

(b) *Alternatives to agency procedures.* In the event an agency official proposes an emergency undertaking as an essential and immediate response to a disaster or emergency declared by the President, a tribal government, or the Governor of a State or another immediate threat to life or property, and the agency has not developed procedures pursuant to paragraph (a) of this section, the agency official may comply with section 106 by:

(1) Following a programmatic agreement developed pursuant to § 800.14(b) that contains specific provisions for dealing with historic properties in emergency situations; or (2) Notifying the Council, the appropriate SHPO/THPO and any Indian tribe or Native Hawaiian organization that may attach religious and cultural significance to historic properties likely to be affected prior to the undertaking and affording them an opportunity to comment within seven days of notification. If the agency official determines that circumstances do not permit seven days for comment, the agency official shall notify the Council, the SHPO/THPO and the Indian tribe or Native Hawaiian organization and invite any comments within the time available.

(c) *Local governments responsible for section 106 compliance.* When a local government official serves as the agency official for section 106 compliance, paragraphs (a) and (b) of this section also apply to an imminent threat to public health or safety as a result of a natural disaster or emergency declared by a local government's chief executive officer or legislative body, provided that if the Council or SHPO/THPO objects to the proposed action within seven days, the agency official shall comply with §§ 800.3 through 800.6.

(d) *Applicability.* This section applies only to undertakings that will be implemented within 30 days after the disaster or emergency has been formally declared by the appropriate authority. An agency may request an extension of the period of applicability from the Council prior to the expiration of the 30 days. Immediate rescue and salvage operations conducted to preserve life or property are exempt from the provisions of section 106 and this part.

## **Appendix E – Criteria for National Register of Historic Places**

The National Register of Historic Places is the nation's list of cultural resources worthy of preservation. The National Register is a program of the National Park Service, United States Department of the Interior. In Michigan, the State Historic Preservation Office, part of the Michigan Historical Center, Michigan Department of State administers the program. Michigan boasts over one thousand National Register listings, including such diverse historic properties as houses, commercial and residential areas, farm and factory complexes, cemeteries and parks, monuments, ships and shipwreck sites.

The National Register is more than a list of resources that have been researched and documented as significant to the nation, state or community. The register is a tool for preserving historic properties. Listed properties are given special consideration when the federal government is planning or giving aid to projects. Listing gives private citizens and public officials credibility when attempting to protect these resources. Listing in the National Register, however, does not prevent a private citizen from altering, managing or disposing of the property.

([http://www.ci.detroit.mi.us/legislative/BoardsCommissions/HistoricDesignationBoard/Historic\\_state.htm](http://www.ci.detroit.mi.us/legislative/BoardsCommissions/HistoricDesignationBoard/Historic_state.htm)).

### **NRHP Criteria:**

#### **Event**

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

#### **Person**

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

#### **Design/Construction**

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

#### **Information Potential**

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.



## Appendix F – Definitions/Glossary

**Anishinaabe:** original people

**Integrity:** a measure of a property's authenticity and is evidenced that existed during the property's period of significance. It should be noted, however, in judging integrity that sometimes the changes a property has undergone may be of historical or architectural interest (even disturbed archaeological context can yield useful information).

**Context:** landscapes, artifacts, or features present within a site or location that can provide historic significance for interpretation of activities that have occurred in prehistoric/historic past.

**Cultural Landscape:** A *cultural landscape* is defined as "a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values." There are four general types of cultural landscapes, not mutually exclusive: *historic sites*, *historic designed landscapes*, *historic vernacular landscapes*, and *ethnographic landscapes*. These are defined below:

- **Historic Designed Landscape**--a landscape that was consciously designed or laid out by a landscape architect, master gardener, architect, or horticulturist according to design principles, or an amateur gardener working in a recognized style or tradition. The landscape may be associated with a significant person(s), trend, or event in landscape architecture; or illustrate an important development in the theory and practice of landscape architecture. Aesthetic values play a significant role in designed landscapes. Examples include parks, campuses, and estates.
- **Historic Vernacular Landscape**--a landscape that evolved through use by the people whose activities or occupancy shaped that landscape. Through social or cultural attitudes of an individual, family or a community, the landscape reflects the physical, biological, and cultural character of those everyday lives. Function plays a significant role in vernacular landscapes. They can be a single property such as a farm or a collection of properties such as a district of historic farms along a river valley. Examples include rural villages, industrial complexes, and agricultural landscapes.
- **Historic Site**--a landscape significant for its association with a historic event, activity, or person. Examples include battlefields and president's house properties.
- **Ethnographic Landscape**--a landscape containing a variety of natural and cultural resources that associated people define as heritage resources. Examples are contemporary settlements, religious sacred sites and massive geological structures. Small plant communities, animals, subsistence and ceremonial grounds are often components.

**Desired Condition:** A portrayal of the land, resource, or social and economic conditions which exist now or are the goal for future attainment. A vision of the long-term conditions of the land.

**Ecosystem:** A naturally occurring, self-maintained system of living and non-living interacting parts that are organized into biophysical and human dimension components.

**Ketegetigaaning:** which translates into Old Planting Grounds or Gardens, and was later changed to Lac Vieux Desert by French explorers. Original Tribal Lands of the Lac Vieux Desert Band of Lake Superior Chippewa. The historic Old Village site is located on County Highway 210 on Lake Lac Vieux Desert, a 4,260 acre lake located on the border of Michigan and Wisconsin, in the counties of Gogebic (Michigan) and Vilas (Wisconsin). The Band's members inhabited many of the islands within Lake Lac Vieux Desert, as well as the location of the Village, which is on the north side of lake Lac Vieux Desert. These homelands are located 15 miles south and east of present day Watersmeet, Michigan.

**Keweenaw Bay:** A large bay along the southern shoreline of Lake Superior on the east side of the Keweenaw Peninsula. The town of L'Anse where the northern terminus of the Lac Vieux Desert – L'Anse trail is located is at the southern end of Keweenaw Bay. The original name for Keweenaw Bay is "kakiweonaning" which translates into "at the place where they cross a point by water".

**Lac Vieux Desert:** This is the name given to Ketegetigaaning Ojibwe Indian Village by the French Missionaries which translates to Lake in the Clearing.

**Native Species:** Animals or plants that originated in the area in which they live. Species that normally live and thrive in a particular ecosystem.

**Natural-Appearing landscape:** "Natural-appearing" refers to a visual landscape character that has resulted from a combination of geological processes, climate, disturbance events, and ecological succession.

**Ojibwe:** Translates to puckered up, as to the style of moccasins.

**Ottawa National Forest Land and Resource Management Plan:** Developed in accordance with the National Forest Management Act, the Ottawa National Forest Land and Resource Management Plan (Forest Plan) describes the desired condition of forest resources, and provides direction guiding the planning and implementation of management actions which promote the attainment or maintenance of the desired conditions. Direction is provided at Forest-wide and Management Area scales in goals, objectives, standards and guidelines. The Forest Plan provides broad scale programmatic direction but does not make site specific or project area decisions.

**Prophecy:** Is a part of the Ojibwe Creation story

**Restore:** For biological and physical resources, restore means to repair, re-establish, or recover ecosystem functions, processes, or components so that they are moving toward or within their range of desired conditions. For Recreation, Scenic Environment, Heritage and Roads and Trails resources, restore means to use management actions to re-establish desired resource conditions.

**Riparian Areas:** Terrestrial areas where the vegetation complex and microclimate conditions are products of the combined presence and influence of perennial and/or intermittent water, associated with high water tables, and soils that exhibit some wetness characteristics.

**Trail Resources:** Archeological and cultural remnants that are associated with the trail (by proximity), and provide prehistoric/historic context of the trail history.

**Unimpaired Conditions of Archeological/Cultural resources and sites:** Archaeological sites that have not been damaged by ground disturbance or altered through artifact removal or displacement can be considered "unimpaired cultural/archaeological resources and sites."

**Wetlands:** Land areas that are wet at least for part of the year, are poorly drained, and are characterized by hydrophytic vegetation, hydric soils, and wetland hydrology. Examples of wetlands include swamps, marshes, and bogs.





## Bibliography

*The Secretary of the Interiors Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*: National Park Service. October 28, 2004.

Godfrey, Anthony Ph.D. *Ethnographic Report on the Historical, Cultural, and Traditional Use of The Lac Vieux Desert to L'Anse Trail*. U.S. West Research, Inc. 2395 East Fisher Lane, Salt Lake City, Utah. November 12, 2002

Humins, John H. Ph.D. An Ethnohistory of the Lac Vieux Desert Band of the Lake Superior Chippewa. Departments of Racial and Ethnic Studies and History, Michigan State University. July 17, 1982

Lac Courte Oreilles Band of Lake Superior Chippewa Indians, Wisconsin Department of Natural Resources, USDA Forest Service, Chippewa Flowage Joint Agency Management Plan, Memorandum of Agreement. August 31, 2000.

USDI National Park Service, Denver Service Center, Trail of Tears National Historic Trail, Comprehensive Management and Use Plan, September 1992

USDA Forest Service Ottawa National Forest. Cultural Resources Reconnaissance and Evaluation of the Lac Vieux Desert-L'Anse Trail Ottawa National Forest Final Report. April 15, 1980

USDA, Forest Service. 2006. Ottawa National Forest Land and Resource Management Plan. Ironwood, MI.

Meeting Notes for Lac Vieux Desert to L'Anse Trail Interagency Planning Committee, Karen Danielsen, GLIFWC Ecologist, Meeting Minutes – January 22, 2004

Meeting Notes from subcommittee (Miles and Loreen) explained that they met on November 19, 2003 to determine the validity of the different trail routes mapped since the late 1800's. They also determined the potential usefulness of each map for this committee. They passed out notes summarizing their conclusions.



